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Letter dated 17 June 2011 from the Chair of the Security Council Committee established pursuant to resolution 1540 (2004) addressed to the President of the Security Council

On behalf of the Security Council Committee established pursuant to resolution 1540 (2004) and further to my letter dated 26 January 2011 and paragraph 4 of resolution 1977 (2011) of the Security Council, I have the honour to transmit herewith the tenth programme of work of the Committee for the period from 1 June 2011 to 31 May 2012 (see annex).

The Committee would appreciate it if the present letter, together with its annex, were brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Baso **Sangqu**
Chair
Security Council Committee established
pursuant to resolution 1540 (2004)

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Annex

[Original: English]

Programme of work of the Security Council Committee established pursuant to resolution 1540 (2004) for the period from 1 June 2011 to 31 May 2012

The Security Council, in operative paragraph 4 of its resolution 1977 (2011), decided that the Committee established pursuant to resolution 1540 (2004) would submit an annual programme of work to the Security Council before the end of each May, and decided that the next programme of work would be prepared before 31 May 2011. The tenth programme of work of the Committee covers the period from 1 June 2011 to 31 May 2012. The Committee has agreed on the following work programme to fulfil its responsibilities under Council resolutions 1540 (2004), 1673 (2006), 1810 (2008) and 1977 (2011).

The Security Council, in operative paragraph 9 of its resolution 1977 (2011), decided that the Committee shall continue to intensify its efforts to promote the full implementation by all States of resolution 1540 (2004) through its programme of work. This includes the compilation and general examination of information on the status of States' implementation of resolution 1540 (2004) as well as States' efforts at outreach, dialogue, assistance and cooperation; and addresses in particular all aspects of paragraphs 1, 2 and 3 of that resolution, which encompasses (a) accountability, (b) physical protection, (c) border controls and law enforcement efforts and (d) national export and trans-shipment controls, including controls on providing funds and services such as financing to such exports and trans-shipments; and includes, as necessary, specific priorities for its work, taking into account its annual review on the implementation of resolution 1540 (2004), prepared with the assistance of the group of experts before the end of each December.

The Committee will continue to work with Member States on the implementation of Security Council resolutions 1540 (2004), 1673 (2006), 1810 (2008) and 1977 (2011), guided by the principles of transparency, equal treatment, cooperation and consistency in its approach.

In order to implement the tenth programme of work more efficiently, the Committee will continue to operate a system of four working groups, open to all members of the Committee established pursuant to resolution 1540 (2004). The working groups will focus on important and recurring issues. In addition, the Committee will publish a schedule for periodic meetings of all four working groups that strives to meet its objectives efficiently and promptly. Such a schedule will then include periodic feedback by working groups responsible for monitoring progress on: (i) monitoring and national implementation; (ii) assistance; (iii) cooperation with international organizations, including the Security Council Committees established pursuant to resolutions 1267 (1999) and 1373 (2001); and (iv) transparency and media outreach.

All working group meetings will be open to all Council delegations and will be announced to all Council delegations. All meeting documents will be circulated to all Council delegations prior to meetings. The work will be organized in a manner that enables all delegations, regardless of size, to participate fully in all their

activities. The Committee will promote greater transparency by, where relevant, holding open meetings on those working group outcomes approved by the Committee and by communicating those outcomes to national contact points.

These arrangements for the working groups are detailed in the appendix, which constitutes a portion of the work programme.

The Committee will focus its attention on, but not limit it to, five main areas of work: (i) monitoring and national implementation; (ii) assistance; (iii) cooperation with international organizations, including the Security Council Committees established pursuant to resolutions 1267 (1999) and 1373 (2001); (iv) transparency and media outreach; and (v) administration and resources.

1. Monitoring and national implementation

(a) Prepare a review of the implementation of resolution 1540 (2004) before 31 December 2011, in line with the requirements of operative paragraph 9 of resolution 1977 (2011), and to address all aspects of resolution 1540 (2004), in particular all aspects of its operative paragraphs 1, 2 and 3, including the developing and maintaining of efforts in implementing resolution 1540 (2004) in accordance with national legal authorities and legislation and consistent with international law; and also with a view to including, as necessary, specific priorities for its work in the next programme of work;

(b) Continue its efforts to encourage States that have not yet submitted their first reports to do so, including researching publicly available websites of Governments and relevant international, regional and subregional organizations in order to identify legislation and other measures for States that have yet to report and, in an effort to encourage them to prepare and submit their first report, share that information with those States in the form of a matrix;

(c) Continue examining incoming first reports, submissions of additional information from States, researching available websites of Governments and international, regional and subregional organizations, conducting dialogue with States (including during country visits at States' invitation), participate in relevant outreach or implementation activities to gather relevant information on national implementation efforts, make available the findings of these examinations to States in the form of a matrix, along with requests for clarification or for updates on relevant legislation and enforcement measures, and encourage States to strengthen their efforts in regularly sharing information with the Committee that updates it on their efforts to implement resolution 1540 (2004);

(d) Encourage States, in line with operative paragraphs 7 and 12 of resolution 1977 (2011), to identify and voluntarily report on effective national practices in implementing resolution 1540 (2004) so that they might be used in providing further general and specific guidance, upon request, to States seeking assistance in implementing the resolution;

(e) Under operative paragraph 8 of resolution 1977 (2011), encourage all States to prepare on a voluntary basis national implementation action plans, with the assistance of the 1540 Committee as appropriate, mapping out their priorities and plans for implementing the key provisions of resolution 1540 (2004), and to submit those plans to the 1540 Committee;

(f) With input from the Committee's working groups on monitoring, assistance and cooperation, consider preparing, regularly updating and making available, as appropriate, a compilation of effective practices in accordance with operative paragraphs 7 and 12 of resolution 1977 (2011);

(g) With input from the Committee's working groups on monitoring and assistance, initiate, by requests to States, an update of the legislative database, and encourage States to make appropriate use of the background information provided through it by striving to make it more user-friendly and responsive to interests expressed by States;

(h) Continue to raise awareness about the relevant multilateral treaties or conventions that aim to prevent the proliferation of, or eliminate, weapons of mass destruction so as to contribute to their universality; and

(i) Continue consideration of the obligations and requirements under resolutions 1540 (2004), 1673 (2006), 1810 (2008) and 1977 (2011) to identify areas for further work by the Committee, such as gathering additional information on dates of measures, inter-agency cooperation, enforcement and prosecutions.

2. Assistance

(a) Collect up-to-date information on requests for or interest in assistance by States and offers of, interest in and programmes of assistance by States and international, regional and subregional organizations, clarifying, as appropriate, whether existing offers have been met, otherwise promote assistance in close consultation with the States concerned, and maintain such information in a regularly updated database;

(b) Conduct more overviews of the requests, offers and related assistance programmes to develop more effective matching strategies;

(c) Conduct country-specific visits, at the invitation of States, to better understand the challenges of national implementation and to better develop tailored strategies to facilitate national implementation and, where appropriate, help States obtain assistance;

(d) With input from the Committee's working group on assistance, and also from the Committee's working group on cooperation, where appropriate, continue to organize and participate in outreach activity at the international, regional and subregional levels and, where appropriate, with States, to facilitate coordination of assistance programmes, promote the sharing of experience, lessons learned and effective practices with a view to their inclusion in a compilation in line with 1 (f) above, collect information on requests for, offers of or interest in assistance, and liaise on the availability of programmes that might facilitate the implementation of resolution 1540 (2004);

(e) Encourage and, where appropriate, assist States to integrate their implementation of resolution 1540 (2004) obligations into their pursuit of broader national objectives convergent with the resolution;

(f) Implement and continually review current procedures on processing incoming assistance requests and offers of assistance, and provide regular updates on the status of requests and offers to the parties involved;

(g) Provide, upon request, information to Member States and international, regional and subregional organizations to help them to make more effective offers of or, for States, more effective requests for assistance, including using the matrix and the assistance template as tools, including the preparation of requests for assistance if asked;

(h) In cases where States prefer not to post their matrix, seek their consent to share said matrix, as appropriate, with potential assistance partners; and

(i) Consider regional approaches to assistance needs and efforts to meet them, including assistance requests made through regional organizations, or jointly by States members of customs unions, free trade zones or weapons-free zones.

3. Cooperation

(a) Enhance its cooperation with international, regional and subregional organizations, and develop ways of operating with those organizations on a case-by-case basis, reflecting the variation in each organization's capacity and mandate, including exchanges at the working level, briefings to and from the Committee, and enhanced information-sharing arrangements;

(b) Expand both formal and informal working relationships with international non-proliferation mechanisms, including zones free of nuclear weapons or weapons of mass destruction, other United Nations bodies and international, regional and subregional organizations, where applicable, to:

(i) Facilitate the sharing of information on effective practices and lessons learned, and develop and implement standards, including with a view to their incorporation into the compilation envisaged in 1 (f) above;

(ii) Identify assistance requirements and programmes whereby its work with international, regional and subregional organizations, can focus on facilitating the activity of those organizations to remedy national implementation challenges, such as reconciling priorities, harmonizing approaches, facilitating advisory and drafting services, and matching requests and offers of assistance; and

(iii) Enhance information-sharing, coordination on visits to countries, within their respective mandates, technical assistance and other issues of relevance to the Committee and the Security Council Committees established pursuant to resolutions 1267 (1999) and 1373 (2001), as appropriate;

(c) Under operative paragraph 18 of resolution 1977 (2011), encourage international, regional and subregional organizations to designate and provide a point of contact or coordinator for the implementation of resolution 1540 (2004) by 31 August 2011, and maintain up-to-date information on such contacts; and

(d) Continue to participate in the joint briefings to the Security Council.

4. Transparency and outreach

(a) Increase interaction on a regular basis with all United Nations Member States, including, where appropriate, through open meetings as noted in operative paragraph 20 of resolution 1977 (2011), and by regularly updating its website;

(b) Complete the establishment of e-mail distribution lists for contacts of the 1540 Committee;

(c) With input from the working group on monitoring, post updated matrices on the website, as appropriate;

(d) Publish on the Committee's website the calendar of outreach events and workshops conducted, sponsored or co-sponsored by the Committee or Member States, as well as information notes on such activities, and update and maintain a list of frequently asked questions about, inter alia, the work, membership, Chair, coordinators, group of experts and implementation;

(e) Produce and update regularly, and at least monthly, a calendar of outreach events or similar activities, covering periods of at least six months into the future, that includes information on other activities of relevant States, international, regional and subregional organizations, the Counter-Terrorism Committee, the Committee established pursuant to resolution 1267 (1999) and other United Nations bodies;

(f) Encourage States to promote dialogue and cooperation, including with civil society, academia and industry, to address the threat posed by illicit trafficking in nuclear, chemical or biological weapons and their means of delivery, and related materials;

(g) Increase efforts to raise awareness among parliamentarians and other high-level decision makers;

(h) In line with operative paragraph 22 (d) of resolution 1977 (2011), consider ways to better utilize and maintain expertise, including, in particular, of former experts of the group, that could be made available for specific missions and assistance needs regarding the implementation of resolution 1540 (2004);

(i) Continue to brief the Security Council, Member States and international, regional and subregional organizations, formally and informally, about the work of the Committee and the obligations and requirements of resolution 1540 (2004).

5. Administration and resources

(a) Under operative paragraph 5 (b) of resolution 1977 (2011), submit by 31 August 2011 recommendations for the Committee and the group of experts on expertise requirements, broad geographic representation, working methods, modalities and structure, including consideration of the feasibility of a coordination and leadership position of the group of experts;

(b) As required under operative paragraph 22 (a) of resolution 1977 (2011), prepare a report to submit to the Council by January 2012 on the possibility of strengthening the support provided by the Office of Disarmament Affairs to the 1540 Committee, including through strengthening of the regional capacity of the Office to support the implementation of the resolution at the regional, subregional and national levels;

(c) Continue to conduct regular meetings of the Committee and its working groups and, as necessary, additional meetings with relevant parties to further the mandate of resolution 1540 (2004), including meetings that might include participation from capitals on topics of high priority;

(d) Encourage States and international, regional and subregional organizations, as appropriate, to provide support to the work of the Committee and its programmes;

(e) Continue to encourage and take full advantage of voluntary financial contributions to assist States in identifying and addressing their needs for the implementation of resolution 1540 (2004), and, at the Committee's discretion, promote the efficient and effective use of the existing funding mechanisms within the United Nations system; and

(f) Continue its efforts to ease the transition of new non-permanent members to the Committee, and maintain the network of non-permanent members leaving the Committee to support the implementation of the resolution.

Appendix

Arrangements for a system of working groups to support the tenth programme of work of the Security Council Committee established pursuant to resolution 1540 (2004)

1. *Monitoring and implementation*

This working group will monitor progress on part 1 of the tenth programme of work, including follow-up work on the comprehensive review and overseeing the status of implementation:

- Explore and execute more effective ways of obtaining missing information
- Make any recommendations deemed necessary for the revision of matrices
- Assume the responsibilities and authorities of the three subcommittees, which shall not meet for the period of this programme of work
- Consider what methodologies might be appropriate to produce quantitative measures of success within the terms of resolutions 1540 (2004), 1673 (2006), 1810 (2008) and 1977 (2011)
- Report to the Committee established pursuant to resolution 1540 (2004) after each meeting

2. *Assistance*

This working group will monitor progress on part 2 of the tenth programme of work, including the following:

- Organize work, as appropriate, at the regional and subregional levels to help to achieve these objectives
- Process incoming assistance requests in the light of the enhanced clearing-house role of the Committee, which now includes matching requests with offers
- Recommend shared experiences to enhance coordination among States offering or considering offering assistance
- Report to the Committee established pursuant to resolution 1540 (2004) after each meeting
- By 31 December 2011, submit a report to the Committee on what has been accomplished, what has worked, and what has not worked

3. *Cooperation with international organizations, including the Security Council Committees established pursuant to resolutions 1267 (1999) and 1373 (2001)*

This working group will monitor progress on part 3 of the tenth programme of work, including the following:

- Lead work with the other Committees, their experts and monitoring teams to expand the common strategy on reporting
- Work with the other Committees, their experts and monitoring teams to develop a more coordinated approach to subregional workshops, in line with paragraph 36 of resolution 1822 (2008), and within respective mandates

- Report to the Committee established pursuant to resolution 1540 (2004) after each meeting

4. *Transparency and outreach*

This working group will monitor progress on part 4 of the tenth programme of work, including the following:

- Consider and seize opportunities for industry and media outreach that would complement and support the work of States, which, by paragraph 8 (d) of resolution 1540 (2004), are called upon "to develop appropriate ways to work with and inform industry and the public regarding their obligations under such laws"
- Consider and seize opportunities, as appropriate, for direct interaction with relevant industries and industry groups, academia and civil society
- Identify opportunities to highlight the threat of weapons of mass destruction falling into the hands of non-State actors
- Report to the Committee after each meeting

Each working group will be chaired by a member of the Committee, supported by the staff of the Office for Disarmament Affairs, the expert staff of the Committee established pursuant to resolution 1540 (2004) and its secretariat, as necessary.